



## San Bernardino Associated Governments

1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA 92410

Phone: (909) 884-8276 Fax: (909) 885-4407

Web: [www.sanbag.ca.gov](http://www.sanbag.ca.gov)



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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority  
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
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## AGENDA

### Administrative Committee Meeting

September 10, 2008

9:00 a.m.

#### Location

SANBAG

*Super Chief Conference Room*

1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor

San Bernardino, CA

### *Administrative Committee Membership*

#### Chair – SANBAG Vice President

Mayor Paul Eaton  
City of Montclair

#### SANBAG President

Supervisor Gary Ovitt  
County of San Bernardino

#### SANBAG Past President

Mayor Lawrence Dale  
City of Barstow

#### Mt./Desert Representatives

Mayor Rick Roelle  
Town of Apple Valley

Mayor Mike Leonard  
City of Hesperia

Supervisor Brad Mitzelfelt  
County of San Bernardino

#### East Valley Representatives

Council Member Bea Cortes  
City of Grand Terrace

Mayor Patrick Morris  
City of San Bernardino

Supervisor Josie Gonzales  
County of San Bernardino

#### West Valley Representatives

Council Member Gwenn Norton-Perry  
City of Chino Hills

Mayor Dennis Yates  
City of Chino

Supervisor Paul Biane  
County of San Bernardino

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

***As a Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
Service Authority for Freeway Emergencies  
County Congestion Management Agency**

**AGENDA**

**Administrative Committee Meeting**

**September 10, 2008**

**9:00 a.m.**

**Location:** SANBAG, Super Chief Conference Room, 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor,  
San Bernardino

CALL TO ORDER 9:00 a.m..  
(Meeting Chaired by Paul Eaton)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Anna Aldana

**Notes/Actions**

**1. Possible Conflict of Interest Issues for the Administrative Committee Meeting September 10, 2008. Pg. 6**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

**Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by member request.

**Administrative Matters**

**2. Attendance Register Pg. 7**

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

**3. Procurement Report for August 2008 Pg. 9**

Receive Monthly Procurement Report. William Stawarski

## Discussion Items

### Administrative Matters

4.     **Proposed SANBAG Fraud Prevention Policy** **Pg. 11**  
       Approve proposed Fraud Prevention Policy No. 10114.  
       **Duane Baker**
  
5.     **Policy No. 10026 “Placement of Items on Consent and Discussion Agendas”** **Pg. 15**  
       Reaffirm the current Policy No. 10026 “Placement of Items on Consent and Discussion Agendas” with no amendments.  
       **Duane Baker**
  
6.     **Alternate Membership and Participation on Policy Committees** **Pg. 18**  
       Reaffirm the current Policy No. 10002 “SANBAG Policy Committee Membership” with no amendments.  
       **Duane Baker**
  
7.     **Chief of Programming Position Reclassification** **Pg. 23**  
       Administrative Committee Approval of reclassification of the Chief of Programming position to Ranges 28 – 32.  
       **Deborah Barmack**

### Program Support/Council of Govts.

8.     **Receive Legislative Update** **Pg. 25**  
       Receive Legislative update and discuss concerns on the following:
  - a. SB 375 (Steinberg)
  - b. SB 974 (Lowenthal)
  - c. State Budget**Jennifer Franco**

### Comments from Committee Members

### Public Comment

**CLOSED SESSION**

Conference with Labor Negotiator (Gary Ovitt)  
regarding public employee performance evaluation pursuant to  
Government code Section 54957

Unrepresented Employee: Executive Director

Conference with Labor Negotiator (Gary Ovitt)  
pursuant to Government Code Section 54957.6

Unrepresented Employee: Executive Director

**ADJOURNMENT**

**Additional Information**

**Acronym List**

**Pg. 32**

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.

It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
- 

## *Minute Action*

AGENDA ITEM: 1

**Date:** September 10, 2008

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

**Background:** In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
		None	

**Financial Impact:** This item has no direct impact on the budget.

**Reviewed By:** This item is prepared monthly for review by the Board of Directors and Policy Committee members.

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*Approved  
Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_



# ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD - 2008

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Paul Biane</b> Board of Supervisors	X	X	X		X	X	X	X				
<b>Robert Christman</b> City of Loma Linda	X	X	X	X	X							
<b>Patrick Morris</b> City of San Bernardino												
<b>Mike Leonard</b> City of Hesperia	X	X	X	X	X	X		X				
<b>Bea Cortes</b> City of Grand Terrace	X	X		X	X	X		X				
<b>Lawrence Dale</b> City of Barstow	X	X	X		X	X	X	X				
<b>Paul Eaton</b> City of Montclair	X	X		X	X	X	X	X				
<b>Josie Gonzales</b> Board of Supervisors			X	X	X	X						
<b>Dennis Hansberger</b> Board of Supervisors	X	X	X			X						
<b>Brad Mitzelfelt</b> Board of Supervisors	X	X		X		X		X				
<b>Gary Ovitt</b> Board of Supervisors	X	X		X	X	X	X	X				
<b>Dennis Yates</b> City of Chino							X	X				
<b>Gwenn Norton-Perry</b> City of Chino Hills					X							
<b>Rick Roelle</b> Town of Apple Valley	X			X	X	X		X				

X = Member attended meeting.

\* = Alternate member attended meeting. Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

# ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD - 2007

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Paul Biane</b> Board of Supervisors	X	X	X		X	X	X	X				X
<b>Robert Christman</b> City of Loma Linda	X	X		X	X	X	X	X	X	X	X	X
<b>Kevin Cole</b> City of Twentynine Palms	X	X	X	X	X	X	X					
<b>Mike Leonard</b> City of Hesperia												
<b>Bea Cortes</b> City of Grand Terrace	X	X	X	X	X		X	X	X	X		X
<b>Lawrence Dale</b> City of Barstow	X	X	X	X	X	X	X	X	X	X	X	X
<b>Paul Eaton</b> City of Montclair		X		X	X	X	X	X	X	X		X
<b>Josie Gonzales</b> Board of Supervisors	X		X	X	X		X	X				X
<b>Dennis Hansberger</b> Board of Supervisors	X	X		X	X		X	X		X	X	X
<b>Brad Mitzelfelt</b> Board of Supervisors	X	X		X						X		
<b>Gary Ovitt</b> Board of Supervisors	X	X	X	X		X	X		X		X	X
<b>Gwenn Norton-Perry</b> City of Chino Hills		X	X	X	X			X		X	X	X
<b>Rick Roelle</b> Town of Apple Valley	X	X	X		X	X		X	X	X		X

X = Member attended meeting.  
admatt07.doc

\* = Alternate member attended meeting. Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 3

**Date:** September 10, 2008

**Subject:** Procurement Report for August 2008

**Recommendation:**\* Receive Monthly Procurement Report.

**Background:** The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or designee, is authorized to approve Purchase Orders up to an amount of \$25,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Administrative Committee for the month of August 2008.

**Financial Impact:** This item imposes no impact on the FY 2008/2009 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

**Reviewed By:** This item is scheduled for review by the Administrative Committee on September 10, 2008.

**Responsible Staff:** William Stawarski, Chief Financial Officer

*Approved  
Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

**PURCHASE ORDERS ISSUED FOR AUGUST 2008**

	<b>Vendor</b>	<b>Purpose</b>	<b>Sole Source Y/N</b>	<b>Amount</b>
P09TWI	tWrite, Inc.	SANBAG website maintenance	No	18,000.00
P09080	Westbound Communications	Public Information Services for the Valley Boulevard grade separation project in Colton.	Yes – This program is uniquely linked with the Colton Crossing work and requires coordinated public outreach. Vendor is already contracted to work on Colton Crossing.	25,000.00
			<b>TOTAL PURCHASE ORDERS ISSUED</b>	<b>\$43,000.00</b>

## *Minute Action*

AGENDA ITEM: 4

**Date:** September 10, 2008

**Subject:** Proposed SANBAG Fraud Prevention Policy

**Recommendation:**\* Approve proposed Fraud Prevention Policy No. 10114.

**Background:** When SANBAG received its audit report for the year ending June 30, 2007, the auditors recommended in their management letter that SANBAG should adopt a formal fraud prevention policy. Based on this recommendation, this proposed policy was drafted.

The major provisions of the policy are as follows:

- Defines fraud.
- Identifies some of the major forms of fraud.
- Makes it a penalty to commit acts of fraud.
- Makes it a penalty to know about fraud by others and not report those actions.
- Where appropriate, SANBAG will seek criminal prosecution.
- Establishes reporting procedures.
- Establishes a method for employees to anonymously report fraud or misconduct.

*Approved*  
*September 10, 2008*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

If adopted, SANBAG employees and contract employees will receive training on the new policy, fraud prevention and ethics. The goal of this policy and subsequent training is to reinforce an environment of ethical conduct and an environment where unethical or fraudulent conduct can be reported freely with no fear of reprisal. The adoption of this policy will also fulfill the recommendation from the audit management letter.

***Financial Impact:*** This item has no financial impact.

***Reviewed By:*** This item will be reviewed by the Administrative Committee on September 10, 2008.

***Responsible Staff:*** Duane Baker, Director of Management Services

San Bernardino Associated Governments	Policy	10114
Originally Approved by the Board of Directors	Month Day, 2008	Revised
		DRAFT 7/1/08
<b>Fraud Prevention</b>	Revision No.	0
<b>Table of Contents</b>   Policy   Definition   Forms of Fraud   Penalties   Employee Responsibilities   Reporting Procedures   Compliance Measures   Revision History		

## **I. POLICY**

In keeping with its commitment to provide strong internal controls, SANBAG maintains a policy to ensure that SANBAG employees and Board Members prevent fraud or related misconduct and conduct themselves in accordance with high ethical standards in reporting, investigating and resolving fraud or related misconduct as defined in Section IV of this policy.

## **II. DEFINITION**

**Fraud** is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means.

## **III. FORMS OF FRAUD**

All fraudulent acts or related misconduct are included under this policy. They include, but are not limited to, activities such as:

- Embezzlement, theft, misappropriation or other financial irregularities;
- Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, and electronic files);
- Improprieties in the handling or reporting of financial transactions;
- Misappropriation or misuse of funds, securities, supplies, inventory or any other asset (such as furniture, fixtures, equipment, materials), including assets of SANBAG;
- Profiteering as a result of insider knowledge of SANBAG activities;
- Disclosing confidential and/or proprietary information to outside parties;
- Accepting or seeking anything of material value from consultants, contractors, vendors or persons providing or seeking to provide services or materials to SANBAG outside of the limits covered by SANBAG's Conflict of Interest Code (Policy No. 10102);
- Any computer related activity involving the alteration, destruction, forgery or manipulation of electronic data for fraudulent purposes;
- Authorizing or receiving payment for goods not received or services not performed; and
- Authorizing or receiving payments for hours not worked or expenses not accrued and documented.

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#### **IV. PENALTIES**

Fraud and related misconduct will not be tolerated. Employees found to have participated in such conduct or to have knowledge of such conduct without reporting it will be subject to disciplinary action, up to and including termination. Where appropriate, SANBAG will also seek criminal prosecution of such acts to the fullest extent of the law.

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#### **V. EMPLOYEE RESPONSIBILITIES**

- A. Employees are expected to use their best efforts to recognize risks and exposures inherent to their areas of responsibility and to be aware of indications of fraud and related misconduct.
  - B. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.
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#### **VI. REPORTING PROCEDURES**

- A. Any employee who knows or has reason to know of fraud or related misconduct shall report that information to the Executive Director. If the Executive Director is suspected of being involved in fraud or related misconduct, that shall be reported to the SANBAG President and SANBAG Counsel.
  - B. Employees may also report any fraud or misconduct anonymously.
  - C. When fraud or related misconduct is reported to the Executive Director or the SANBAG President and SANBAG Counsel, an appropriate investigation and all necessary action will be undertaken. All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and SANBAG procedures.
    - 1. All employees necessary to the investigation will cooperate fully in the investigation;
    - 2. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively;
    - 3. Once the investigation is completed the SANBAG Board and/or Executive Director will take one or more of the following actions:
      - o Take appropriate action and steps to minimize recurrence.
      - o Take appropriate steps to discipline and counsel involved employees.
      - o Report fraud or misconduct to law enforcement as appropriate.
      - o Report the results of the investigation to the SANBAG Board whenever appropriate.
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#### **VII. COMPLIANCE MEASURES**

SANBAG will provide periodic training for SANBAG staff on fraud prevention and ethics. SANBAG will establish and promote a method for employees to report fraud and misconduct anonymously.

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#### **VIII. REVISION HISTORY**

Revision No.	Revisions	Approved
0	Approved by the Board of Directors	



- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 5

**Date:** September 10, 2008

**Subject:** Policy No. 10026 "Placement of Items on Consent and Discussion Agendas"

**Recommendation:\*** Reaffirm the current Policy No. 10026 "Placement of Items on Consent and Discussion Agendas" with no amendments.

**Background:** Staff received a request at the Administrative Committee to review the policy on the placement of items on Consent and Discussion Agenda. Specifically, staff was asked to consider amending the policy so that any item over a certain financial benchmark would automatically be placed on the Discussion Agenda. The current SANBAG policy on this matter (No. 10026) states in part:

### **10026.3 POLICY**

1. Consent and Discussion Items. SANBAG Board of Directors and Policy Committee agendas shall contain a listing of action items which, as appropriate, incorporates both consent and discussion items. The consent calendar shall be composed of items which are routine and non-controversial in nature. Items placed on the discussion calendar are those which are accompanied by presentations which enhance understanding of issues and promote development of informed policy debate and direction. The following rules shall apply in consideration of the listing of items:

1.1. Items which are of controversial nature shall be placed on the discussion agenda, as well as items which carry significant programmatic impact.

\*

*Approved*  
*September 10, 2008*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

1.2. The consent calendar shall be used extensively as a tool to identify routine items, therefore preserving sufficient time for items placed on discussion which require considerable attention and deliberation at the policy level.

1.3. Any member of the Board of Directors or a Policy Committee may pull an item from the Consent Calendar for discussion purposes.

1.4. It shall be the standard practice for all action items placed before the SANBAG Board of Directors to be considered first by an appropriate SANBAG Policy Committee.

1.5. SANBAG Policy Committees may establish the appropriate placement of items on either consent or discussion agendas of the Board of Directors. In the instances of two or more minority votes at the Policy Committee level, the item shall be placed on the discussion agenda of the Board.

Currently, the guide that is used to consider whether an item should be on the consent calendar is if the item is "routine and non-controversial". The purpose of this guide is to insure that items that are purely routine, non-controversial and without significant programmatic impact are considered on the Consent Calendar to allow more time for considered and informed discussion of more substantive or controversial matters on the Discussion Agenda.

The goal of this policy is to help insure that sufficient time exists for Board Members and members of the public to fully discuss significant items of business before the SANBAG Board. Other aspects of Policy No. 10026 also help meet this goal by establishing the practice of taking all action items before the appropriate Policy Committee for consideration before being brought before the Board. The agendas for all Policy Committees are posted and available online for public review and comment. This allows time for all action items to be heard and discussed in a public setting and in a venue that allows sufficient time for detailed discussion.

After an item has been heard by a Policy Committee, that Committee may recommend the placement of that item on the Board of Directors Agenda. The Policy goes on to state that, "In the instances of two or more minority votes at the Policy Committee level, the item shall be placed on the discussion agenda of the Board."

At the Board of Directors meeting, any member of the Board or a Policy Committee may pull an item from the Consent Calendar for discussion purposes.

Under the current policy, action items for the agenda are fully vetted through the Policy Committee level and as necessary by the Board of Directors as a whole. Even items of a routine nature that are on the Consent Calendar for the Board of Directors have been reviewed in a public forum by policy makers. By using the Policy Committee structure the limited time of the Board of Directors meeting can be used to the greatest extent possible to focus on the items that require significant policy discussion because of their controversial nature or the impact on the mission of SANBAG.

If a new threshold were added to automatically place any action item with a fiscal impact over a particular financial benchmark on to the Discussion Agenda, then the amount of time for substantive items would be decreased. Since SANBAG items, particularly construction items, are generally high cost, this could significantly add to the Board Discussion Agenda. There are currently many opportunities for an item to be placed on the Discussion Agenda by Board Members and creating an automatic dollar amount threshold would not significantly increase the ability of Board Members or the public to fully discuss their concerns with any particular item while it would significantly decrease the quality discussion time available for more substantive or controversial matters.

***Financial Impact:*** This item has no financial impact.

***Reviewed By:*** This item will be reviewed by the Administrative Committee on September 10, 2008.

***Responsible Staff:*** Duane Baker, Director of Management Services

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 6

**Date:** September 10, 2008

**Subject:** Alternate Membership and Participation on Policy Committees

**Recommendation:\*** Reaffirm the current Policy No. 10002 "SANBAG Policy Committee Membership" with no amendments.

**Background:** Staff received a request by Councilmember Rothschild to review the issue of alternates participating on Policy Committees. Currently the membership of all Policy Committees is outlined in Policy No. 10002. The guideline for all Policy Committees is that the membership shall consist of members of the SANBAG Board of Directors.

The reason for this requirement is to give members of the Board an opportunity to hear items in a more detailed fashion in the Policy Committee setting prior to consideration by the entire Board. In this way, the time of the Board as a whole can be used more effectively to discuss items of broad significance or of a controversial nature. The Policy Committees can take the time to hear each item and make a recommendation to the full Board. In cases of more routine items, the Policy Committee will still be able to fully evaluate the item before recommending to the consent calendar of the full Board. In cases where there is controversy, the item will be vetted by the Policy Committee to help provide focus to the discussion at the Board meeting.

*Approved*  
 September 10, 2008

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

In all of the cases mentioned above, it is critical that Board members participate on the Policy Committees so that the true nature of any comments or concerns raised at the Policy Committee can be brought before the Board directly. This is the best way to insure that the views of Board members are accurately conveyed.

If Board members were represented by alternates at the Policy Committee level, then the Board member will not have the benefit of the in depth discussion and debate of an issue to assist in the discussion and decisions that must be made by the Board of Directors.

SANBAG Board Alternates or other elected officials are always welcome to attend Policy Committee meetings and provide comments on agenda items.

***Financial Impact:*** This item has no financial impact.

***Reviewed By:*** This item will be reviewed by the Administrative Committee on September 10, 2008

***Responsible Staff:*** Duane Baker, Director of Management Services

San Bernardino Associated Governments	Policy	10002
Adopted by the Board of Directors September 6, 1995	Revised	5/3/06
<b>SANBAG Policy Committee Membership</b>	Revision No.	5

**Important Notice:** A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.

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## I. PURPOSE

The SANBAG Board of Directors has created a number of Policy Committees for the purpose of providing oversight and policy guidance relative to development and implementation of SANBAG programs. The purpose of this policy is to establish guidelines as they relate to Policy Committee membership structure, composition, terms, and absences.

## II. DEFINITIONS (None)

## III. MEMBERSHIP STRUCTURE

Due to funding sources and the geographic nature of issues under their purview, the membership of three policy committees (Major Projects, Mountain Desert, and Commuter Rail) shall be limited by geographic area. The two remaining policy committees (Administrative and Plans & Programs) shall be structured to insure balance participation by representatives from the East Valley, West Valley, and Mountain/Desert subregions, as well as city and county interests.

### Mountain/Desert Policy Committee Membership

The Mountain/Desert Policy Committee is composed of SANBAG Board Members representing jurisdictions within the Mountain/Desert subregion. However, meetings and agendas of the Mountain/Desert Policy Committee and the Mountain/Desert Measure I Committee are combined, and the Mountain/Desert Measure I Committee members shall be appointed by the governing bodies of local jurisdictions.

## Administrative Policy Committee Agenda Item

September 10, 2008

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### IV. MEMBERSHIP COMPOSITION

Membership on SANBAG policy committees shall consist of members of the SANBAG Board of Directors.

#### ✚ Administrative Policy Committee

- ✚ SANBAG President
- ✚ Vice President
- ✚ Immediate Past President
- ✚ 3 East Valley members (2 City, 1 County)
- ✚ 3 West Valley members (2 City, 1 County)
- ✚ 3 Mountain/Desert members (2 City, 1 County)

City members shall be SANBAG Board members elected by caucus of city SANBAG Board members within the subarea. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the Administrative Committee.

#### ✚ Commuter Rail Policy Committee

9 Valley members, 4 of whom shall be the Southern California Regional Rail Authority primary and alternate members representing SANBAG and 5 Valley members appointed by the SANBAG President.

#### ✚ Major Projects Policy Committee

- ✚ All SANBAG Board members representing jurisdictions in San Bernardino Valley.

#### ✚ Mountain/Desert Policy Committee

- ✚ All SANBAG Board members representing jurisdictions in Mountain/Desert.

#### ✚ Plans & Programs Policy Committee

- ✚ 3 West Valley City SANBAG Board Members
- ✚ 3 East Valley City SANBAG Board Members
- ✚ 3 Mountain/Desert City SANBAG Board Members
- ✚ All County Supervisors

City members shall be elected by caucus of city SANBAG Board members within the subarea.

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### V. METHODS OF APPOINTMENT

The city membership of the Administrative and Plans & Programs policy committees shall be elected by caucus of the city representatives on the SANBAG Board of Directors. The SANBAG President is authorized to appoint the membership of Commuter Rail Policy Committee. The membership of the Mountain/Desert and Major Projects policy committees shall be specified as all SANBAG Board Members who represent areas within the Mountain/Desert and Valley subregion respectively.

## VI. MEMBERSHIP TERMS

Appointed and elected membership on the SANBAG Administrative, Commuter Rail, and Plans & Programs policy committees shall consist of two-year terms to be staggered in such a manner that terms of half of the membership expire annually on December 31. Membership on the Major Projects and Mountain/Desert policy committees are for the term as members of the SANBAG Board of Directors.

There are no maximum number of terms for any individual member.

## VII. MEMBER ABSENCES

The regular participation of Policy Committee members is essential to appropriate policy oversight and staff direction.

This policy shall establish a procedure whereby absences on the part of Policy Committee members can be addressed in a manner which insures active participation in committee activities or, as appropriate, to provide the opportunity for rotation of responsibilities. This procedure will provide for other interested SANBAG Board members to participate on SANBAG Policy Committees in the case of absences.

1. Regular participation in SANBAG Policy Committees is encouraged, recognizing that unavoidable absences will occur on an occasional basis.
2. SANBAG staff shall notify the SANBAG President in the event that any one SANBAG Policy Committee member is absent from three consecutive Policy Committee meetings.
3. Upon notification by SANBAG staff, the SANBAG President or designee shall contact the Policy Committee member to discuss the record of absences.
4. Based upon information obtained from the Policy Committee member and knowledge of the Policy Committee activities, the SANBAG President shall make a determination relative to retention or replacement of the Committee member. Appointment of new Policy Committee members shall be made in accordance with Board of Directors policy established for each Committee.

## VIII. REVISION HISTORY

Revision No.	Revisions	Adopted
0	Adopted.	09/06/95
1	Added Section 10002.6 Membership Terms	09/06/95
2	Added Section 10002.7 Member Absences	11/06/96
3	Changed name of Major Projects Task Force to Major Projects Committee	08/05/98
4	Par. IV: Commuter Rail Committee and Major Projects Committee - membership revised. Par. V: Revised. Par. VI: Revised. For all changes, refer to 12/3/03 SANBAG Board Agenda, Item 5.	12/03/03
5	Par. IV: Commuter Rail Committee - membership revised	05/06/06



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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
- 

## *Minute Action*

AGENDA ITEM: 7

**Date:** September 10, 2008

**Subject:** Chief of Programming Position Reclassification

**Recommendation:\*** Administrative Committee Approval of reclassification of the Chief of Programming position to Ranges 28 - 32

**Background:** This item requests Administrative Committee approval of the recommended position reclassification with notification to the Board of Directors at the October meeting. In August 2008, this item was presented to the Administrative Committee for consideration. The item was reviewed without controversy and was unanimously recommended to the Board of Directors for approval.

Unfortunately, this item was inadvertently omitted from the September 2008 Board of Directors agenda for approval. Based upon the Administrative Committee recommendation, SANBAG began negotiations with a highly qualified individual for this position and offered employment to that individual conditioned upon Board of Director's approval. Due to the high priority which has been placed on filling SANBAG positions with highly qualified individuals, staff is requesting approval of this reclassification by the Administrative Committee in this unique situation to avoid a month's delay in filling this position which has been vacant since April.

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*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

In May 2007 the Board of Directors approved reclassification of positions and salaries as a result of the Executive Director's organizational realignment plan. At that time, two positions were classified to Chief of Planning and Chief of Programming in accordance with program and supervision responsibilities. At that time, a twenty percent salary differential was assigned to the Chief of Planning position (Ranges 28-32) and Chief of Programming positions (Ranges 24-28).

In April of 2008, the SANBAG Chief of Programming resigned her employment and accepted a position with Riverside County Transportation Commission. Recruitment for that position has been on-going since that time without success. Transportation programming is a very specialized field, and it is extremely difficult to recruit experienced personnel with management capabilities. Historically, SANBAG has depended upon on-job-training to develop programming experience and skills within the agency. In this case, SANBAG is in need of an experienced employee with management capabilities.

The lack of success in recruitment for this position is believed to be partly associated with an inadequate salary offering within the SANBAG classification structure. Consequently, it is recommended that this position be reclassified from Range 24-28 (\$6,193 - \$9,150 mo.) to Range 28-32 (\$7,527 - \$11,122 mo).

The recommended adjustment would provide equity between the two existing Chief of Planning and Chief of Programming positions within the approved SANBAG Classification Plan. This adjustment will provide more flexibility to SANBAG management in recruiting candidates with transportation programming experience to fill this vacancy.

**Financial Impact:** The salary range of a selected candidate to fill the Chief of Programming position will be based upon the skills and experience of the candidate and cannot be exactly determined at this time. The recommended adjustment can be accommodated within the adopted FY 2008-2009 budget.

**Reviewed By:** The proposed reclassification of this position was unanimously recommended for approval by the Administrative Committee on August 13, 2008.

**Responsible Staff:** Deborah Robinson Barmack  
Executive Director

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

*Minute Action*

AGENDA ITEM: 8

**Date:** September 10, 2008

**Subject:** Receive Legislative Update

**Recommendation:\*** Receive Legislative update and discuss concerns on the following:  
a. SB 375 (Steinberg)  
b. SB 974 (Lowenthal)  
c. State Budget

**Background:** This Legislative update pertains only to the SANBAG's State Legislative program. Due to Congressional recess, there is no new legislation to discuss for SANBAG's Federal Legislative program.

***SB 375 (Steinberg) - Transportation planning: travel demand models: land use***  
SB 375 was enrolled to the Governor on September 2, 2008. SB 375 provides implementation statutes for AB 32 (passed in 2006 – Nunez), which aimed to reduce green house gas emissions. Prior to enrollment, the author, Senate Pro Tem Steinberg, made significant amendments to SB 375 reflecting agreement reached between representatives of local government (specifically, California League of Cities and California State Association of Counties),

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

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50309000

builders, affordable housing advocates, and the bill's sponsors (environmental organizations).

According to Senator Steinberg, key stakeholder concerns have been addressed in the amendments concerning protection of local land use authority, adequate CEQA streamlining benefits for both residential development and priority transit projects that meet the Sustainable Communities Strategy (SCS) requirements; syncing of the Regional Housing Needs Allocation (RHNA) and RTP processes to assure consistency; and adequate stakeholder and public participation in the planning process of developing the SCS.

The amended bill requires regional transportation agencies to adopt a sustainable community's strategy as part of the regional transportation plan. The bill contains three major sections:

- (1) In consultation with the State Air Resources Board, develop regional greenhouse gas emission reduction targets by 2020 and 2035. Included is creation of an advisory committee for establishing the targets by 2011 for the process for planning for green house gas (GHG) reductions from cars and light trucks on a regional basis (50 percent of air pollution);
- (2) Aligning the Regional Housing Needs Allocation (RHNA) planning process with the regional transportation planning process to create an eight year planning period for cities within metropolitan planning areas; and
- (3) The California Environmental Quality Act (CEQA) incentives for projects consistent with the regional plan to reduce greenhouse gas emissions.

SANBAG's official position on this bill was "oppose" due to the following reasons:

- a. SB 375 unfairly penalizes transportation if bill's provisions are not met
- b. SB 375 does not grandfather projects listed in Self-Help measures yet to be adopted

(Please see attachment #1 for a more complete bill analysis on SB 375)

***SB 974 (Lowenthal) – Container Fee/Port Investment***

SB 974, authored by Senator Lowenthal, was enrolled to the Governor on August 5, 2008.

SB 974 would authorize a fee of up to \$30 on each twenty foot equivalent unit (TEU) or \$60 for a typical full shipping container processed at the Ports of Los Angeles, Long Beach, and Oakland. The purpose of the fee is to fund congestion relief and air pollution mitigation projects related to the goods movement.

According to SB 974, the new user fee would begin January 1, 2009, with 50 percent of the fees directed to congestion relief and 50 percent to air pollution mitigation.

SB 974 lists 46 key grade separations within San Bernardino County that would be eligible for funding. In addition to specific grade separations, Colton Crossing, a rail-to-rail grade separation also is listed as an eligible project for funding.

Although this bill was enrolled in August, it is rumored that the bill might be rescinded and further amended. Should this occur, amendments will divert money away from San Bernardino's grade separation projects and increase the Air Resources Board's responsibility for project approval.

SANBAG's official position on this bill was "support."

(Please see attachment #2 for a more complete bill analysis on SB 974)

***State Budget***

At the time of print for this agenda item, the Legislature was still deliberating on state budget.

***Financial Impact:*** Funding for SANBAG's Legislative program is consistent with the adopted SANBAG Budget Task No. 50309000.

***Reviewed By:*** This item is scheduled for review by the Administrative Committee on September 10, 2008.

***Responsible Staff:*** Jennifer Franco, Director of Intergovernmental and Legislative Affairs

## (Attachment No. 1)

**SB 375 (Steinberg)**

**Version Date: August 22, 2008**

**Bill Analyzed: September 3, 2008**

**Bill location: Enrolled**

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### **Summary**

SB 375 requires Metropolitan Planning Organizations (MPOs) to include sustainable communities' strategies, as defined, in their Regional Transportation Plans (RTP) for the purpose of reducing greenhouse gas emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

#### **Existing law:**

1. Requires certain transportation planning activities by the Department of Transportation (Caltrans) and by designated regional transportation planning agencies, including development of an RTP.
2. Authorizes the California Transportation Commission (CTC), in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation.
3. Requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an Environmental Impact Report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.
4. Requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

#### **Fiscal Effect:**

- Substantial costs to MPOs to incorporate sustainable community strategies into their RTPs. MPOs have the authority to use federal funds to cover planning costs, as well as to charge member local governments to cover costs, but total costs and composition of funding sources are unspecified.
- Unknown net cost impact on cities. Aside from potential charges from MPOs, cities would also face higher costs related to (a) the increased complexity of general plan housing elements, (b) the requirement that cities rezone land within three years after the housing element is adopted, and (c) the likelihood that they will receive additional requests for amendments to their general plans to accommodate developments consistent with sustainable communities strategies (costs for granting these requests can be charged to the developer). Offsetting these costs is the shift from a five-year to an eight-year regional housing needs planning cycle which implies less frequent updates to housing elements. The bill states that if the Commission on State Mandates determines that the bill contains local costs mandated by the state, reimbursements will be provided.
- Preliminary estimates from the California Air Resources Board indicates that it will incur one-time costs of \$740,000 and ongoing costs of approximately \$440,000 relating to setting regional greenhouse gas emission reduction targets for the auto and light truck sector, and reviewing MPO's sustainable communities strategies. Costs are for two new positions (\$340,000 annually) and contracts with the University of California for technical assistance (\$400,000 one-time and \$100,000 ongoing).
- California Transportation Commission would incur one-time costs of approximately \$200,000 for the adoption of modeling guidelines, and potential minor ongoing costs associated with updating guidelines and reviewing regional models.
- The Office of Planning and Research (OPR) would incur one-time costs of approximately \$86,000 to update general plan and CEQA guidelines.
- California's Housing and Community Development Department which is responsible for reviewing housing elements of local general plans, would face both costs and savings under the bill, which it believes would be largely offsetting. Increased complexity of local housing elements would result in added time and expense associated with each plan review. However, this will be offset by less-frequent revisions (from once every five years to once every eight years) of local general plans' housing elements, and a consequent reduction in the number of reviews that it must perform each year.

**(Attachment No. 2)**

**SB 974 (Lowenthal)**

**Bill Version: July 14, 2008**

**Bill Analyzed: July 24, 2008**

**Bill Location:**

**Vote Requirement:**

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**Brief Summary:**

SB 974 would authorize a fee of up to \$30 on each twenty foot equivalent unit, or \$60 for a typical full shipping container processed at the Ports of Los Angeles, Long Beach, and Oakland to fund congestion relief and air pollution mitigation projects related to the ports.

**Digest:**

SB 974 would:

1. Require the Ports of Long Beach, Los Angeles, and Oakland, by January 1, 2008, to develop a process to notify and collect user fees from container cargo owners. The ports must notify the cargo owners by June 1, 2008, that a \$30 per twenty-foot equivalent unit (TEU) user fee will be assessed. Certain information must be provided, such as the process and frequency of payment, and that the user fee is being assessed to improve goods movement infrastructure serving the port, and to reduce pollution from all forms of port-related equipment.
2. The three ports must assess the \$30 TEU user fee beginning January 1, 2009, and collect the fee twice a year, with 50% of the fees directed to congestion relief and 50% to air pollution mitigation.
3. Provide that congestion relief funds generated by the fee on containers moved through the Ports of Los Angeles and Long Beach are governed by the Southern California Goods Movement Authority, established by this bill, and specifies particular grade separation projects in Los Angeles, Orange, Riverside and San Bernardino Counties as the projects eligible for funding.
4. The JPA would be responsible for developing a program of projects from the list of eligible projects contained in the bill. The list would be submitted to the CTC for approval.
5. Prohibit monies deposited in the goods movement trust fund from being loaned or transferred to the general fund of specified local entities.
6. Provide that air pollution mitigation funds generated by the fee on containers moved through the Ports of Los Angeles and Long Beach are governed jointly by the ports and the South Coast Air Quality Management District (AQMD).
7. Provide that congestion relief funds generated by the fee on containers moved through the port of Oakland are governed jointly by the port and the Metropolitan Transportation Commission.
8. Provide that air pollution mitigation funds generated by the fee on containers moved through the Port of Oakland are governed jointly by the port and the Bay Area Air Quality Management District.
9. Require congestion relief projects to be approved by the California Transportation Commission (CTC) and air pollution mitigation projects to be approved by the Air Resources Board (ARB).
10. Provide that fees authorized by this bill shall be separate from, and in addition to, fees that have been or may be adopted by the ports under existing authority.

**Background:**

Under existing law the Harbors and Ports Mitigation Law, requires a public agency to approve certain mitigation for port projects involving filling of sub-tidal habitats within ocean or inland ports, establishes the CTC and sets various duties and procedures for the CTC, authorizes the State Resources Board (CARB) to coordinate efforts to attain and maintain ambient air quality standards, and creates the State Infrastructure and Economic Development Bank and specifies its powers.

**Analysis:**

SB 974 is intended to make investments in port infrastructure and air quality in the region to accommodate the growing freight volumes at the Ports of Los Angeles, Long Beach, and Oakland by imposing a user fee on the source of the growth. Charging a \$30 fee on each of the 15 million TEUs processed annually through the ports complex would generate approximately \$500 million annually, growing to over \$1.5 billion annually by 2020 if the projected container volume growth continues as expected. The fees would sunset after the eligible projects are constructed and any revenue bonds are paid off.

The most recent amendments to this bill modify the composition of the Joint Powers Authority (JPA), adding the mayors from the cities of Anaheim, Riverside and San Bernardino, to the JPA, for a total of 12 members. The amended membership is more balanced with 6 members from LA county entities and 6 members from Orange, Riverside and San Bernardino counties.

Additionally, the recent amendments may provide an economic advantage to the Port of Oakland with respect to the San Pedro Bay Ports. Proposed Subdivision (d) of Section 1747 specifically indicates that for the Port of Oakland, the new fee imposed under AB 974 shall be the same fee imposed by the Port of Oakland, if the Port acts to do adopt a local fee by December 31, 2008. Thus, Oakland would have a fee structure distinctly different from the San Pedro Bay.

Opponents generally assert that the fee in SB 974 violates the commerce clause of the U.S. Constitution and increases costs of importing and exporting through the ports. Supporters generally cite concerns about negative impacts of port goods movement activities and related affects on air quality and certain infrastructure.

**Grade separation projects in San Bernardino County:**

Grove Avenue on the UP Alhambra Line  
Grove Avenue on the UP Los Angeles Line  
Ramona Avenue on the UP Alhambra and Los Angeles Lines  
Monte Vista Avenue on the UP Alhambra and Los Angeles Lines  
State/University on the BNSF Cajon Line  
Hunts Lane on the UP Yuma Line  
Milliken Avenue on the UP Alhambra Line  
Central Avenue on the UP Alhambra and Los Angeles Lines  
San Antonio Avenue on the UP Alhambra and Los Angeles Lines  
Sultana Avenue on the UP Alhambra and Los Angeles Lines  
Campus Avenue on the UP Alhambra and Los Angeles Lines  
State Street (Ontario) between the UP Alhambra and Los Angeles Lines  
Vineyard Avenue on the UP Alhambra Line  
Vineyard Avenue on the UP Los Angeles Line  
Mt. Vernon Avenue on the UP Yuma Line  
Vine Avenue on the UP Los Angeles Line  
Bon View Avenue on the UP Los Angeles Line  
Archibald Avenue on the UP Los Angeles Line  
Milliken Avenue on the UP Los Angeles Line



**Grade separation projects in San Bernardino County (Continued):**

Valley Boulevard on the BNSF San Bernardino Line  
Laurel Street on the BNSF San Bernardino Line  
Main Street on the BNSF San Bernardino Line  
Olive Street on the BNSF San Bernardino Line  
Palm Avenue on the BNSF Cajon Line  
Glen Helen Parkway on the BNSF Cajon Line  
Ranchero Road on the BNSF Cajon Line  
Ranchero Road on the UP Cutoff Line  
Vista Road on the BNSF Cajon Line  
Hinkley Road on the BNSF Cajon Line  
Lenwood Road on the BNSF Cajon Line  
Oro Grande on the BNSF Cajon Line  
Indian Trail on the BNSF Cajon Line  
E Street on the BNSF San Bernardino Line  
H Street on the BNSF San Bernardino Line  
Phelan Road on the UP Cutoff Line  
Johnson Road on the UP Cutoff Line  
Whittier Avenue on the UP Yuma Line  
Beaumont Avenue on the UP Yuma Line  
Alessandro Road on the UP Yuma Line  
San Timoteo Canyon Road on the UP Yuma Line  
& Colton Crossing

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

# ***San Bernardino Associated Governments***



## **MISSION STATEMENT**

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993  
Reaffirmed March 6, 1996